DocuSign Envelope ID: A07DA9D3-DE2C-46BE-A1AC-84E69C7A7966

Notice of Determination

To:
Office of Planning and Research
For U.S. Mail:
P.O. Box 3044

Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:
Department of Fish and Wildlife
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 95434
Contact: Garrett Allen
Phone: (707) 428-2076

Lead Agency
City of St. Helena
1572 Railroad Avenue
St. Helena, CA 94574
Contact: Johnathon Goldman
Phone: (707) 968-2568

SUBJECT: ***Filing of Notice of Determination pursuant to Public Resources Code section 21108***

State Clearinghouse Number: 2006092096

Project Title: Upper York Creek Ecosystem Restoration and Aquatic Habitat Enhancement Project (Lake or Streambed Alteration Agreement No. 1600-2017-0261-R3)

Project Location (include county): The project is located along an approximately 3,950-foot long reach of York Creek, a tributary to the Napa River, in Napa County, California. The entire project is directly adjacent to Spring Mountain Road and the Upper York Creek Dam is located approximately 1-mile northwest from the intersection of Boysen Lane and Spring Mountain Road, in St. Helena.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number 1600-2017-0261-R3, pursuant to section 1602 of the Fish and Game Code to the project Applicant, City of St. Helena.

The Upper York Creek Ecosystem Restoration and Aquatic Habitat Enhancement Project (Project) will restore the ecological connectivity between habitats upstream and downstream of the earthen Dam, and allow reestablishment of natural sediment transport processes for the purposes of enhancing habitat for steelhead (*Oncorhynchus mykiss*) and other native aquatic species. The Project will include the following activities:

1) To notch the dam, approximately 11,250 cubic yards of dam material will be excavated to create an approximately 130-foot long channel (i.e. notch) through the dam with a bottom channel width of approximately 20 feet, and 1.5:1 side slopes. The excavated dam material will be disposed at the Clover Flat Landfill, with a portion used to fill in the existing concrete spillway between Spring Mountain Road and the UYCD. The bank of the dam notch closest to Spring Mountain Road, the northeast bank, will be reinforced with approximately 825 cubic yards of imported Class VIII, 1-ton rock rip rap to ensure the long-term protection of Spring Mountain Road. Rock will extend approximately 160 feet through the dam notch and upstream; and will primarily be buried below the bank surface and keyed into the bank at the upstream extent to prevent flanking. Rock will extend up the slope approximately 15 feet (i.e. 2 feet above the estimated 100-year water surface elevation) and to the depth of bedrock, or a maximum of 8 feet below the channel bed. The opposite bank of the dam notch will be allowed to erode naturally over time.

2) To create an approximately 800-foot long pilot channel, approximately 12,140 cubic yards of impounded sediment upstream of the Dam will be excavated to create a bottom channel width of approximately 20 feet, and 1.5:1 side slopes. To feed the sediment starved system below the dam, the remaining approximately 14,860 cubic yards of impounded sediment will be left in place to be transported downstream through York Creek and into the Napa River during storm events. Within the 800-foot long bed of the pilot channel, six “slash trenches” will be constructed perpendicular to the flow of water. Each will be approximately 20 feet long (equal to the bottom channel width), 3 feet wide, and 2 feet deep. The slash trenches will be filled primarily with red willow (*Salix laevigata*) and California bay (*Umbellularia californica*) branches less than 3 inches in diameter. The purpose of the slash trenches is to provide channel complexity and deflect flow to the impounded sediment, creating a meandering channel through the reach. These structures are expected to deform over time as sediment is eroded from around and under them, at which point the slash (i.e. willow and bay laurel branches) will transport downstream during storm events and rack against naturally occurring large woody debris and the downstream

DocuSign Envelope ID: A07DA9D3-DE2C-46BE-A1AC-84E69C7A7966

sediment traps to provide beneficial habitat for steelhead and other native aquatic species. Approximately 108 trees equal to or greater than 6 inches in diameter at breast height (dbh) will be removed as part of the project. They include the following species: red willow, arroyo willow (*Salix lasiolepis*), California bay, Douglas fir (*Pseudotsuga menziesii*), coast live oak (*Quercus agrifolia*), white alder (*Alnus rhombifolia*), big leaf maple (*Acer macrophyllum*), and coast redwood (*Sequoia sempervirens*). This reach will primarily be allowed to revegetate naturally over time; 22 coast redwood trees and 46 willow poles will be planted in select locations throughout this reach.

3) Downstream of the Dam, along an approximately 3,020-foot long reach of York Creek 36 permanent large wood sediment traps will be constructed. These sediment traps will be constructed using approximately 30 to 40-foot long, 18-inch dbh or greater logs about half of which will be reused from clearing the Dam and sediment areas. Some coast redwood and Douglas fir logs also will be imported for use in the construction of sediment traps. Sediment trap designs will consist of either one large log with rootwad attached or two large logs without rootwads attached. Logs will be pinned to existing trees, wedged between existing trees, and/or anchored to existing boulders and bedrock outcrops using threaded rebar fasteners. Small woody material ("slash") harvested from trees removed on-site will be placed in the channel bed underneath the structures to provide temporary habitat for steelhead and other aquatic species. Construction of sediment traps will be completed from top of bank using rubber-tired equipment. Trees less than 6 inches DBH will be removed only as necessary for creating access to the sediment trap installation areas. No grading or excavation of the streambank and no water diversion and dewatering will occur throughout this reach (with the exception of the top 3 sediment traps which are close to the base of the Dam and are within the extent of the area dewatered by the creek bypass system).

Water diversion, dewatering, fish rescue and relocation will be required for approximately 1,000 feet of York creek, primarily in two areas, one above and one below the Dam/Sediment Removal Areas for installation of the creek bypass cofferdams. It will not be required for installation of the sediment traps, with the exception of the 3 sediment traps mentioned above. In total, the project will temporarily impact approximately 0.39 acres along approximately 1,872 feet of in-stream habitat; and will actively restore approximately 0.42 acres along approximately 800 feet of in-stream habitat. The project will also restore access to approximately 1.5 miles of habitat for steelhead upstream of the Dam. Project activities will temporarily impact approximately 1.95 acres of riparian habitat and permanently impact approximately 0.08 acres of riparian habitat; and actively restore approximately 1-acre of riparian habitat.

This is to advise that CDFW, acting as a Responsible Agency, approved the above described project on May 13, 2020 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project ☒ will / ☐ will not have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. CDFW considered the environmental impact report prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures ☒ were / ☐ were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan ☒ was / ☐ was not adopted by CDFW for this project.
5. A statement of overriding considerations ☒ was / ☐ was not adopted by CDFW for this project.
6. Findings ☒ were / ☐ were not made by CDFW pursuant to California Code of Regulations section 15091.

The final environmental impact report prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as Responsible Agency is available at CDFW's regional office.

DocuSigned by:
CJ Weightman
7988E6C4EDC2452...

Signature *Date: June 18, 2020*

Craig J. Weightman, Environmental Program Manager

Date Received for filing at OPR: Governor's Office of Planning & Research

Jun 19 2020

STATE CLEARINGHOUSE

DocuSign Envelope ID: A07DA9D3-DE2C-46BE-A1AC-84E69C7A7966

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
AGREEMENT REGARDING PROPOSED LAKE OR STREAM ALTERATION
NO. 1600-2017-0261-R3

Eric Ahmann Smithies, City of St. Helena
Upper York Creek Ecosystem Restoration and Aquatic Habitat Enhancement Project

CEQA FINDINGS

***INTRODUCTION**:*

The California Environmental Quality Act ("CEQA"; Public Resources Code §21000, *et seq*.), and the State CEQA Guidelines ("Guidelines"; 14 Cal. Code Regs. 15000, *et seq*.) require that prior to reaching a decision on a project, a responsible agency must consider the environmental effects of the project as shown in the document prepared by the lead agency.

As the lead agency for the Upper York Creek Ecosystem Restoration and Aquatic Habitat Enhancement Project (Project), the City of St. Helena, certified an environmental impact report on April 28, 2015.

The California Department of Fish and Wildlife ("CDFW") is issuing an agreement regarding proposed Lake or Streambed Alteration to the project applicant, City of St. Helena, represented by Erica Ahmann Smithies, 1572 Railroad Avenue, St. Helena, CA 94574. For the Project, the applicant is proposing to restore the ecological connectivity between habitats upstream and downstream of the Upper York Creek Dam (Dam), and allow reestablishment of natural sediment transport processes for the purposes of enhancing habitat for steelhead (*Oncorhynchus mykiss*) and other native aquatic species. The Project includes the removal of the earthen Dam, habitat and channel improvements upstream of the Dam, and the installation of large woody debris downstream of the dam to enhance habitat for steelhead and other aquatic species.

CDFW is a responsible agency under CEQA for the purpose of approving the Lake and Streambed Alteration Agreement necessitated by the lead agency's proposed project. As a CEQA responsible agency, CDFW is required by Guidelines §15096 to review the environmental document certified by the lead agency approving the project and to make certain findings concerning the project's potential to cause significant, adverse environmental effects. However, when considering alternatives and mitigation measures approved by the lead agency, a responsible agency is more limited than the lead agency. CDFW has responsibility for mitigating or avoiding only the direct or indirect environmental effects of the Lake and Streambed Alteration Agreement that it approves.

FINDING:

CDFW has considered the environmental impact report prepared by the lead agency. CDFW has independently concluded that the Lake and Streambed Alteration Agreement should be issued under the terms and conditions specified therein. CDFW finds that with the mitigation measures incorporated into the Lake and Streambed Alteration Agreement, there will be no significant effects to biological resources from the proposed project.

The Project is Approved.

DATE: June 18, 2020

By: DocuSigned by: CJWeightman 7088F6C4FDC24F2...

Craig J. Weightman, Environmental Program Manager
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region